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House of Representatives Education Committee  
Testimony on Teacher Tenure  
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My name is Russell Pickell and I am the Superintendent of Flat Rock Community Schools. I want to first thank you for the opportunity to speak to you about teacher tenure in the state of Michigan.

The Tenure Act provides definitions, processes, and guidelines for multiple functions in education and teacher development. The act defines the roles and responsibilities between teachers and their governing bodies, provides for opportunities of growth and improvement, and sets forth guidelines for teacher conduct. The act was designed for the protection and well being of all parties and to promote the effectiveness of the teacher for the best interest of the students in the classroom.

As collective bargaining agreements became more prevalent, and teacher unions became stronger, the tenure act and the tenure commission were compromised from their original purpose. The original practices and philosophies of the tenure act remain true, however the process has become clouded, time consuming and expensive. The simple truth is that collective bargaining units have little incentive to solve disputes quickly and cost effectively. The strategy now is to delay the process for as long as possible so districts will give up and avoid the process.

While I lack the first hand experience of bringing someone to the Tenure Commission, I am well aware of the horror stories from colleagues across the state, and I can honestly say these examples affect some of my decision making in regards to employees. What should be a simple decision of right and wrong now becomes a decision of what is the most cost effective solution. Administrators avoid going through the tenure process because the process redirects too many resources away from the classroom. Administrators need the tools necessary to level the playing field and restore the Tenure Act and Tenure Commission to their original purposes.

Legislation is being proposed that I feel will have a positive impact on placing quality, effective teachers in the classrooms and removing those that are a drain on our system. I have not read the proposed legislation for every detail, but I want the Committee to know that I am in full support of the following:

HB 4626: I understand this bill amends the tenure act to allow tenure charges to be brought against a teacher 'whose job performance has been rated as ineffective on 2 consecutive performance evaluations'. This bill also allows for suspension without pay for up to 20 consecutive days before a legal demotion has occurred. The three day maximum rule is

ridiculous in my opinion. This change would inspire improved performance at an earlier stage in the process for teacher improvement.

HB 4627: I understand this bill requires that teacher placement or recall may NOT be based on length of service and all contracts must include that language. The first in last out practice for layoffs is severely detrimental to the bargaining and budgeting process. Placement and recall should include the most effective teachers above all else.

HB 4625: I understand this bill places a tenured teacher back on probationary status if the tenured teacher is rated *minimally effective*. This will motivate teachers to remain current and adopt the most effective best practices in the classroom.

HB 4321: I understand this bill places the salary of the suspended teacher in escrow until the process is complete and the final decision is made. This will motivate both parties to seek a timely resolution.

HB 4465: I understand this bill suspends the teaching certificates for up to two years for a teacher participating in an illegal strike. This will further dissuade illegal teacher strikes.

In addition to these proposed bills, I would like to see additional legislation to address the following:

- Prohibit teachers and collective bargaining units from grieving individual teacher evaluations.
- For teacher discipline, allow the employee to either grieve and go through the arbitration process, or go to the Tenure Commission, but not both.
- In the case of illegal strikes, allow for collective hearings, and escrow wages until the hearing is complete.

I want thank you once again for the opportunity to come and speak to you today. I know that we share a common goal and that is to place the best teachers available in front of our children. I do want to state that, as in any other profession, rules like the tenure act and the processes we have discussed today are only utilized and necessary for a very small population in our profession. The vast majority teachers are wonderful people, dedicated to the educational well being of our children. It is not these individuals that we write rules for. It is not for these individuals that we write laws.

It is our responsibility to our children and to our citizens do provide a timely, cost effective system to remove the ineffective and detrimental teachers from our classrooms. If we work together we can ensure that we will have the best quality teachers in the classroom. Thank you.